

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PETER ROESER, *individually and on behalf of all
others similarly situated,*

Civil No. 13-1968 (JRT/HB)

Plaintiff,

v.

**ORDER ON REPORT
AND RECOMMENDATION**

BEST BUY CO., INC.; BEST BUY STORES,
L.P.; BBY SOLUTIONS, INC.;
BESTBUY.COM, LLC; and GEEK SQUAD;

Defendants.

Anne T. Regan, Charles Zimmerman, **ZIMMERMAN REED, PLLP**,
1100 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402, John
Orellana, Clinton Krislov, **KRISLOV & ASSOC, LTD**, 20 North Wacker
Drive, Suite 1300, Chicago, IL 60606, for plaintiff.

Anne M. Lockner, Natalie Uhlemann, **ROBINS KAPLAN LLP**, 800 LaSalle
Avenue, Suite 2800, Minneapolis, MN 55402-2015, for defendants.

The above-entitled matter came before the Court upon the Report and
Recommendation of the United States Magistrate Judge. No objections have been filed to
the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the
files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. The Court finds that it has subject matter jurisdiction over the action,

Plaintiff, the settlement class members, and the settling parties;

3. The Court adopts all defined terms as set forth in the settlement agreement unless otherwise defined herein;
4. The Court finds that the settlement resulted from arms-length negotiations and was not the product of collusion;
5. The Court finds that the settlement class meets the class certification requirements of Federal Rule of Civil Procedure 23(a) and (b)(3), and certify the following class:

All individuals who purchased Geek Squad's "Home Networking Made Simple" product from Geek Squad or Best Buy since July 22, 2012, and all individuals who, on July 22, 2012, had "Home Networking Made Simple" contracts that had not yet expired or come up for renewal.

Excluded from the Settlement Class are Defendants, any entities in which they have a controlling interest, any of their parents, subsidiaries, affiliates, officers, directors, and the presiding judge(s) in this case and his, her, or their immediate family.

6. The Court finds that the notice constituted the best practicable notice; was reasonably calculated, under the circumstances, to apprise members of the Class of the pendency of the litigation, their right to object to the settlement, and their right to appear at the final approval hearing; was reasonable and constituted due, adequate, and sufficient notice to all persons entitled to receive notice; and met all applicable requirements of the Federal Rules of Civil Procedure and any other applicable law;
7. The Court finds that the settlement was fair, reasonable, adequate, and in the best interests of the class;
8. The Court appoints Plaintiff as the class representative and Plaintiff's counsel as class counsel;
9. The Court awards attorneys' fees in the amount of \$358,182.25, expenses in the amount of \$21,357.82, and a service award to Plaintiff in the form of a \$2000 Best Buy gift card, because all are

fair and reasonable;

10. The Court retains jurisdiction over this action to consider all further matters arising out of or connected with the settlement, including enforcement of the releases provided for in the settlement agreement;
11. The Court shall enter judgment pursuant to the settlement agreement, dismissing the action against all Defendants with prejudice, extinguishing and releasing all settled claims as set forth in the Settlement Agreement, and barring claims as set forth in and subject to the settlement agreement;
12. Plaintiff's Motion for Final Approval of Class Action Settlement [Doc. No. 42] is **GRANTED**; and
13. Plaintiff's Motion for Award of Class Representative Service Award and for an Award of Fees, Costs, and Expenses to Settlement Class Counsel [Doc. No. 47] is **GRANTED IN PART** and **DENIED IN PART**, as set forth fully herein.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 7, 2015
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court